

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1094 of 1990

WITH

CIVIL APPLICATION NO. 12575 OF 1999

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE D.H.WAGHELA

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LABEL LAMINATES LTD.

Versus

UNION OF INDIA

Appearance:

M/S TRIVEDI & GUPTA for Petitioners

MR ASIM J PANDYA for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE B.C.PATEL and

MR.JUSTICE D.H.WAGHELA

Date of decision: 10/01/2000

ORAL JUDGEMENT (Per Patel, J.)

The petitioner claimed refund of Rs.2,48,50,193-85 together with interest at the rate of 18% per annum. By an interim order dated 22.2.1990, the Court directed to refund the principal amount subject to verification of that amount and on certain conditions.

Matters raising similar contention were heard by a Division Bench and disposed of on 17th February 1995. In all, five matters were heard and disposed of, but this matter could not be tagged with the group. There is consensus between the advocates that had this matter been

tagged with the group, the same would have been disposed of along with the group, as the facts and the rules involved are similar.

For the reasons recorded in the common judgment dated 17.2.1995 in Special Civil Applications No. 959/90, 960/90, 965/90, 1112/90 and 5096/90, it is directed that the petitioners shall repay the amount of Rs.2,48,50,193-85 to the Union of India within four weeks from today with interest at the rate of 18% p.a from the date of receipt till the amount is paid. Subject to the observations and directions in the aforesaid common judgment, rule is discharged with cost. Interim relief granted earlier stands vacated.

Civil Application No. 12575/99 stands disposed of as rejected as it does not survive in view of the fact that the main petition is disposed of by the above order.
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